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January 19, 2005

ATTORNEY'S DOCKET NO: 22596-537CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS : Jiang *et al.*

SERIAL NUMBER : 10/810,260

EXAMINER : Not Yet Assigned

FILING DATE : March 26, 2004

ART UNIT : 1614

FOR : NOVEL LAPACHONE COMPOUNDS AND METHODS OF USE THEREOF

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**Certification of Facsimile Transmission**

The undersigned hereby certifies that these papers are being transmitted to the Office of Initial Patent Examination's Filing Receipt Corrections. Commissioner for Patents, Alexandria, VA 22313-1450 on this 19th day of January, 2005.

  
Matthew Pavao, Reg. No. 50,572

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Glovsky and Popeo, P.C.  
One Financial Center  
Boston, MA 02111  
Telephone: 617/542-6000  
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- Request for corrected filing receipt (2 pgs.);
- Copy of filing receipt marked with corrections (2 pgs.);
- Copy of Request for Continuation Application and Preliminary Amendment filed on March 26, 2004 (5 pgs.)

Total Number of Pages Transmitted Including This Sheet: 10.

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TRA 1997889v1

VIA FACSIMILE

Date of Deposit: January 19, 2005

Attorney Docket No. 22596-537CON

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FOR : NOVEL LAPACHONE COMPOUNDS AND METHODS OF USE THEREOF

Office of Initial Patent Examination's  
Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## REQUEST FOR CORRECTED FILING RECEIPT

1. Applicants request a Corrected Filing Receipt for the above-mentioned patent application. Applicants enclose a copy of the Filing Receipt with the corrections noted thereon in red. Issuance of a corrected filing receipt is respectfully requested.

2. There are errors with respect to the following data, which are:

☒ incorrectly entered

*and/or*

☐ omitted.


*Error in**Correct data*

- |  |                        |
|--|------------------------|
| 1. <input type="checkbox"/>            | Applicants' name       |
| 2. <input type="checkbox"/>            | Applicants' address    |
| 3. <input type="checkbox"/>            | Title                  |
| 4. <input type="checkbox"/>            | Filing Date            |
| 5. <input type="checkbox"/>            | Serial Number          |
| 6. <input checked="" type="checkbox"/> | Domestic Priority Data |
| 7. <input type="checkbox"/>            | Other                  |

This application is a CON of PCT/US03/37219  
11/18/2003 which claims benefit of 60/427,283  
11/18/2002, 10/622,854 filed 7/17/03 and  
PCT/US03/22631 filed 11/17/03

3. Applicants submit that the priority information was included with Applicant's Request for Filing a Continuation Patent Application under 37 CFR 1.53(b) and the Preliminary Amendment filed therewith on March 26, 2004.
4. Applicants believe that no fee is due. However, the Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to Deposit Account No. 50-0311, Ref. No. 22596-537CON.

Respectfully submitted,

 *Reg No. 50,572*  
Ivor R. Elrifi, Reg. No. 39,529  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
Tel: (617) 542-6000  
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Customer No. 30623

Dated: January 19, 2005

TRA 1997877v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/810,260	03/26/2004	1614	1242	22596-537 CON A	1	65	12

30623

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY  
AND POPEO, P.C.  
ONE FINANCIAL CENTER  
BOSTON, MA 02111

CONFIRMATION NO. 8306

## UPDATED FILING RECEIPT

\*OC000000013852939\*

Date Mailed: 09/21/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Zhiwei Jiang, Grafton, MA;  
Dasharatha Reddy, Acton, MA;  
Samuel K. Ackerman, Weston, MA;  
June Salvesen, Marlborough, MA;

<input checked="" type="checkbox"/> Data Entry	Done By
<input type="checkbox"/> Docket Entry	
<input type="checkbox"/> Docket Cross Off	
<input type="checkbox"/> Previously Entered	
<input type="checkbox"/> No Docketing Req.	
<input type="checkbox"/> ELITE	
<input type="checkbox"/> Annuities	

**Power of Attorney:** The patent practitioners associated with Customer Number 30623.

## Domestic Priority data as claimed by applicant

This application is a CON of PCT/US03/37219 11/18/2003  
which claims benefit of 60/427,283 11/18/2002

10/622,854 Filed 11-7-03 and  
PCT/US03/22631 Filed 11-7-03

## Foreign Applications

If Required, Foreign Filing License Granted: 06/05/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,  
**US10/810,260**

Projected Publication Date: 12/30/2004

Non-Publication Request: No

**RECEIVED**

SEP 23 2004

MINTZ LEVIN, BOSTON  
PATENT DOCKET DEPT.

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

Title

Novel lapachone compounds and methods of use thereof

Preliminary Class

514

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Express Mail Label No.: EV312-8881US  
Date of Deposit: March 26, 2004

Attorney Docket No. 22596-537CON

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

FIRST-NAMED INVENTOR: Zhiwei Jiang

FOR: NOVEL LAPACHONE COMPOUNDS AND METHODS OF  
USE THEREOF

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR FILING A CONTINUATION PATENT APPLICATION  
UNDER 37 C.F.R. §1.53(b)**

1. This is a request for filing a 35 USC § 111(a) continuation application. This continuation application claims the benefit of, and priority under 35 USC § 365(c), to PCT/US03/37219, filed November 18, 2003, which claims priority from U.S.S.N. 60/427,283 filed November 18, 2002, U.S.S.N. 10/622,854 filed July 17, 2003 and PCT/US03/22631 filed July 17, 2003. The contents of all of these referenced applications are incorporated herein by reference in their entireties.
2. A true copy of the parent application PCT/US03/37219 is enclosed. This application is a total of 59 pages. This application includes:
  - 42 pages of Specification (not including claims, abstract, or figures)
  - 15 pages of Claims
  - 1 page of Abstract
  - 1 sheet of Formal Drawings (Fig. 1)
3. An unsigned copy of the Combined Declaration/Power of Attorney is enclosed (3 pgs.).
4. Preliminary Amendment (3 pgs.)
5. Fees associated with this application are calculated as follows.

EV312715881US

FIRST-NAMED INVENTOR: Jiwei Jiang et al.  
Request for New Nonprovisional Application (37 C.F.R. §1.53(b))

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a) \$770.00
Total Claims (37 C.F.R. 1.16(c))	65	- 20 =	45	\$18.00	\$810.00
Independent Claims (37 C.F.R. 1.16(b))	12	- 3 =	9	\$86.00	\$774.00
Multiple Dependent Claim(s), if any (37 C.F.R. 1.16(d))	-0-			\$290.00	
SUBTOTAL:					\$2,354.00
Reduction by 50% for filing by small entity:					\$1,177.00
TOTAL FEE:					\$1,177.00

6. A check (#18341) in the amount of \$1,177.00 is enclosed. The Commissioner is authorized to charge any additional fees due, or credit overpayments, to Deposit Account No. 50-0311, Ref. No. 22596-537CON.
7. A return receipt postcard is enclosed.

Respectfully submitted,

*Matthew Parn Reg No. 59,572*

Ivor R. Elrifi, Reg. No. 39,529  
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Customer No. 30623

Dated: March 26, 2004

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